

JAMES C. GALLO, ESQ.
Nevada Bar No. 005959
818 S. Casino Center Blvd.
Las Vegas, Nevada 89101
Telephone: (702) 385-3131
Facsimile: (702) 385-3130
Email: *James@GalloLawOffice.com*
Attorney for Defendant
ARCELI SANCHEZ

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

| | | |
|---------------------------|---|---------------------------|
| UNITED STATES OF AMERICA, |) | Case No.: 22-MJ-00555-BNW |
| |) | |
| Plaintiff, |) | |
| |) | STIPULATION AND ORDER TO |
| v. |) | CONTINUE TRIAL |
| |) | |
| ARCELI SANCHEZ, |) | |
| |) | |
| Defendant, |) | |
| |) | (First Request) |

IT IS HEREBY STIPULATED by and between ARCELI SANCHEZ, Defendant, by and through counsel JAMES C. GALLO, JR., ESQ.; and the United States of America, by and through, ANGELICA MARMORSTEIN, ESQ., Assistant United States Attorney, and the Trial currently scheduled for October 19, 2022, at the hour of 9:00 a.m., be continued to a date and time to be set by this Honorable Court.

This Stipulation is entered into for the following reasons:

1. Counsel for Defendant has requested a continuance from Assistant U.S. Attorney Angelica Marmorstein who has no objection to this continuance.
2. Counsel for Defendant will be in a hearing in several preliminary hearings in Justice Court and one is in-custody that are scheduled to go for argument at the same time and day.

3. Counsel for Defendant a continuance of forty-five days, if possible, to appear in court, as Defendant has also just started a brand-new job.
4. Denial for this request for continuance would deny the parties herein time and the opportunity to appear in person, taking into account the exercise of due diligence.
5. Additionally, denial of this request for continuance would result in a miscarriage of justice.
6. For all the above-stated reasons, the ends of justice would best be served by a continuance of the Trial date.
7. The additional time requested by this stipulation, is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. 3161(h)(7) (A), considering the factors under 18 U.S.C. 3161 (h)(7)(B)(i) and 3161 (h)(7)(B)(iv).
8. This is the first request for a continuance of the Trial date in this case.

DATED this 18th day of October, 2022.

Respectfully submitted.

GALLO LAW OFFICE

UNITED STATES ATTORNEY

/S/ James C. Gallo
JAMES C. GALLO, ESQ.
Nevada Bar No. 005959
818 S. Casino Center Blvd.
Las Vegas, NV 89101
Attorney for Defendant
ARCELI SANCHEZ

/S/ Angelica Marmorstein
ANGELICA MARMORSTEIN, ESQ.
Assistant United States Attorney
501 Las Vegas Boulevard South
Suite #1100
Las Vegas, NV 89101

JAMES C. GALLO, ESQ.
Nevada bar No. 005959
818 S. Casino Center Blvd.
Las Vegas, Nevada 89101
Telephone: (702) 385-3131
Facsimile: (702) 385-3130
Email: *James@GalloLawOffice.com*
Attorney for Defendant
ARCELI SANCHEZ

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

| | | |
|---------------------------|---|---------------------------|
| UNITED STATES OF AMERICA, |) | Case No.: 22-MJ-00555-BNW |
| |) | |
| Plaintiff, |) | |
| |) | ORDER TO CONTINUE TRIAL |
| v. |) | |
| |) | |
| ARCELI SANCHEZ, |) | |
| |) | |
| Defendant, |) | (First Request) |
| |) | |

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. Counsel for Defendant has requested a continuance from Assistant U.S. Attorney Angelica Marmorstein who has no objection to this continuance.
2. Counsel for Defendant will be in a hearing in several preliminary hearings in Justice Court and one is in-custody that are scheduled to go for argument at the same time and day.
3. Counsel for Defendant a continuance of forty-five days, if possible, to appear in court, as Defendant has also just started a brand-new job.

- 1 4. Denial for this request for continuance would deny the parties herein time and the
- 2 opportunity to appear in person, taking into account the exercise of due diligence.
- 3 5. Additionally, denial of this request for continuance would result in a miscarriage of
- 4 justice.
- 5 6. For all the above-stated reasons, the ends of justice would best be served by a
- 6 continuance of the Trial date.
- 7 7. The additional time requested by this stipulation, is excludable in computing the time
- 8 within which the trial herein must commence pursuant to the Speedy Trial Act, 18
- 9 U.S.C. 3161(h)(7) (A), considering the factors under 18 U.S.C. 3161 (h)(7)(B)(i)
- 10 and 3161 (h)(7)(B)(iv).
- 11 8. This is the first request for a continuance of the Trial date in this case.
- 12
- 13
- 14

CONCLUSIONS OF LAW

15 The end of justice served by granting said continuance outweigh the best interest of the

16 public and defendant in a speedy trial since the failure to grant said continuance would likely result

17 in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within

18 which to be able to effectively and thoroughly prepare for sentencing taking into account the

19 exercise of due diligence.

20

21 ////

22 ////

23 ////

24 ////

25 ////

26 ////

27 ////

1 The continuance sought herein is excludable under the Speedy Trial Act, Title 18 U.S.C.
2 3161(h)(7) (B)(i), considering the factors under title 18 U.S.C. 3161 (h)(7)(B)(i) and 3161
3 (h)(7)(B)(iv).

4 ORDER

5 IT IS FURTHER ORDERED that the Trial scheduled for October 19, 2022, at the hour of
6 9:00 a.m., be vacated and continued for a short continuance to this 4th day
7 of January, 2023, at the hour of 9:00 a.m./p.m. in Courtroom 3B.

8 DATED this 18th of October, 2022.

9
10 
11 UNITED STATES MAGISTRATE